

CIVIL SERVICE COMMISSION MINUTES
NOVEMBER 4, 2009

A regular meeting of the Civil Service Commission was held at 2:30 p.m., in Room 358 of the County Administration Center, 1600 Pacific Highway, San Diego, California.

Present were:

A.Y. Casillas
Francesca Krauel
W. Dale Bailey
William O'Connor

Absent was:

Barry I. Newman

Comprising a quorum of the Commission

Support Staff Present:

Patt Zamary, Executive Officer
Karen Landers, Senior Deputy County Counsel
Selinda Hurtado-Miller, Reporting

Approved
Civil Service Commission
November 18, 2009

SAN DIEGO COUNTY CIVIL SERVICE COMMISSION
REGULAR MEETING MINUTES
NOVEMBER 4, 2009

1:30 p.m. CLOSED SESSION: Discussion of Personnel Matters
and Pending Litigation

2:30 p.m. OPEN SESSION: Room 358, 1600 Pacific Highway, San Diego, California

Discussion Items

Continued
7

Referred

Withdrawn

COMMENTS: Motion by Bailey to approve all items not held for discussion; seconded by Krauel. Carried.

CLOSED SESSION AGENDA

County Administration Center, Room 400B
(Notice pursuant to Government Code Sec. 54954.2)
Members of the public may be present at this
location to hear the announcement of the
closed session agenda.

A. Commissioner Bailey: CONSIDERATION OF PUBLIC
EMPLOYEE DISCIPLINE (GOV. CODE SEC. 54957(b)) Richard
Pinckard, Esq., on behalf of **2009-08**, appealing an
Order of Termination and Charges from the Sheriff's
Department.

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (GOV. CODE SEC. 54956.9) -- Written communications from US Equal Employment Opportunity Commission re Charge No. 488-2009-00458 (Donna Goyer); Letter dated October 13, 2009 is available for public inspection pursuant to Government Code sections 54956.9, subdivision (3)(C) and 54957.5.

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OPEN SESSION AGENDA
County Administration Center, Room 358

MINUTES

1. Approval of the Minutes of the regular meeting of October 7, 2009.

Approved.

CONFIRMATION OF ASSIGNMENTS AND REASSIGNMENTS

2. Commissioner O'Connor: **Heidi Kay**, former Office Assistant, appealing a Final Order of Removal and Charges from the Department of Parks and Recreation.

Confirmed.

3. Commissioner Bailey: **Ricardo Gutierrez**, former Health and Human Services Administrator III, appealing a Final Order of Removal from the Health and Human Services Agency.

Confirmed.

4. Commissioner Krauel: Kay Ryan, Director, Advocacy Center, SEIU Local 221, on behalf of **Jerome Maull**, former Residential Care Worker II, appealing a Final Order of Removal and Charges from the Health and Human Services Agency.

Confirmed.

5. Commissioner Casillas: **Earnest Davis**, former Associate Air Pollution Control Engineer, appealing a Final Order of Removal and Charges from the Air Pollution Control District.
(Commissioner Krauel previously assigned.)

Confirmed.

6. Commissioner O'Connor: **Jerome Maull**, former Residential Care Worker II, alleging discrimination by the Health and Human Services Agency. (Commissioner Newman previously assigned.)

Confirmed.

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DISCIPLINE

Findings

7. Commissioner Bailey: Richard Pinckard, Esq., on behalf of **2009-08**, appealing an Order of Termination and Charges from the Sheriff's Department.

FINDINGS AND RECOMMENDATIONS:

This item is continued to the next Civil Service Commission Meeting, November 18, 2009.

DISCRIMINATION

Findings

8. Commissioner Casillas: **Grace Anggrainy**, Administrative Analyst II, Health and Human Services Agency, alleging discrimination by the Department of Purchasing and Contracting.

FINDINGS AND RECOMMENDATIONS:

At the regular meeting of the Civil Service Commission (Commission) on August 6, 2009, the Commission appointed A. Y. Casillas to investigate the complaint submitted by Grace Anggrainy, which alleged discrimination by the Department of Purchasing and Contracting. In accordance with the established rules and procedures of the Commission, the matter was concurrently referred to the Office of Internal Affairs (OIA) for investigation. The OIA concluded the investigation and has reported its findings to the Commission. The Investigating Officer has taken into consideration all documentation submitted in this matter. The report of OIA has been received and reviewed by the undersigned Investigating Officer who concurs with OIA's Report and has concluded that the evidence does not support a finding of probable cause that a violation of discrimination laws occurred.

It is therefore recommended that Ms. Anggrainy's Rule VI discrimination complaint be denied; and that the Commission approve and file this report with the appended OIA Summary Investigative Report with a finding of no probable cause to believe that the Complainant has been unlawfully discriminated against.

Motion by Casillas to approve Findings and Recommendations; seconded by Bailey; Carried.

AYES:	CASILLAS, KRAUEL, BAILEY, O'CONNOR
NOES:	NONE
ABSTENTIONS:	NONE
ABSENT:	NEWMAN

OTHER MATTERS

9. Public Input.

ADJOURNED: 2:43 P.M.

NEXT REGULAR MEETING OF THE CIVIL SERVICE COMMISSION:

NOVEMBER 18, 2009

ASSISTANCE FOR THE DISABLED:

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